

**DECLARATION AND POWER OF ATTORNEY**

As the below-named inventors, we declare that we are the original, first, and joint inventors of the subject matter which is claimed in the specification identified below and for which a patent is sought on the invention as titled therein. We hereby state that have reviewed and understood the contents of said specification, including the claims. We acknowledge the duty to disclose information which is relevant to the examination of this application in accordance with 37 C.F.R. §1.56.

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Title of Invention: **COMPOUNDS AND COMPOSITIONS FOR TREATING TISSUE ISCHEMIA**

Serial No.:           -- to be assigned --          , filed on 17 July 1998

(X) There are no earlier-filed United States Patent Applications of which priority benefit is claimed.

## POWER OF ATTORNEY APPOINTMENT OF AGENT

The power to prosecute this application and transact all business in the Patent and Trademark Office connected herewith is hereby granted to the following practitioners:

Jeffrey B. Oster, Registration No. 32,585  
Kirk R. Manogue, Registration No. 42,838

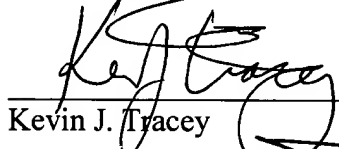
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We further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventors:

Date signed:

  
Kevin J. Tracey

7/17/98

  
Yousef Al-Abed

7/17/98

  
Svetlana Ivanova

7/17/98

  
Richard J. Bucala

7.17.98

Docket: 1101

Applicants: Kevin J. Tracey, Yousef Al-Abed, Svetlana Ivanova and Richard J. Bucala

Serial No.:

Filed: 17 July 1998

For: **COMPOUNDS AND COMPOSITIONS FOR TREATING TISSUE ISCHEMIA**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
37 C.F.R. §1.9(f) AND §1.27(d) - - NONPROFIT ORGANIZATION**

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

The Picower Institute for Medical Research  
350 Community Drive  
Manhasset, New York 11030

Type of organization:

- ☐ University or other institution of higher education.  
☒ Tax exempt under Internal Revenue Service Code (26 U.S.C. §§501(a) and 501(c)(3)).  
☐ Nonprofit scientific or educational under a state statute of the USA.

I hereby state that the above-identified nonprofit organization qualifies as a nonprofit organization as defined in 37 C.F.R. §1.9(e), for purposes of paying reduced fees to the United States Patent and Trademark Office with regard to the invention entitled **COMPOUNDS AND COMPOSITIONS FOR TREATING TISSUE ISCHEMIA** by the inventors Kevin J. Tracey, Yousef Al-Abed, Svetlana Ivanova and Richard J. Bucala as described in:

- ☒ the specification filed herewith.  
☐ application serial no. \_\_\_\_\_ filed on \_\_\_\_\_.  
☐ United States Patent \_\_\_\_\_, issued \_\_\_\_\_.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization identified above, and/or there is an obligation under contract or law by the inventor(s) to convey rights to the nonprofit organization identified above, with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. §1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

Full Name:

Address:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

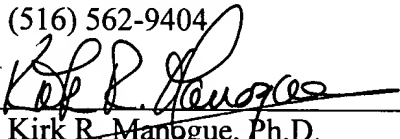
I acknowledge the duty to file, in this application or any patent issuing thereon, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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